

United States District Court

District of Massachusetts

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 2005-10190-RWZ

TIRSO DE JESUS BAEZ, ETC.,
Defendant.

ORDER AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)

COLLINGS, U.S.M.J.

A Final Status Conference was held on November 9, 2005. Counsel for the defendant appeared.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the enumeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) No with the exception that the Government will disclose whether the Puerto Rican birth certificate at issue in this case is an exact duplicate of the certificate on file in Puerto Rico or merely a document on which the information from the certificate on file has been copied.

- (2) No.
- (3) No.
- (4) The defendant has not responded to the government's request for notice of alibi.
- (5) No non-discovery type motions will be filed. The Government will voluntarily dismiss Count 3.
- (6) No.
- (7) It is unknown whether a trial will be necessary; a trial on Counts 1 and 2 would last about three (3) trial days.
- (8) *See Further Order of Excludable Delay entered this date. An Initial Pretrial Conference should be as soon as possible; THE SPEEDY TRIAL ACT CLOCK IS RUNNING.*
- (9) Three (3) trial days.

Using the enumeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) *See ¶ (5), supra.*
- (4) *See ¶ (8), supra.*
- (5) Three (3) trial days.
- (6) No.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 to set a firm trial date ***as soon as possible; THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE ZOBEL'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

November 9, 2005.